

Cleveland, OH

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

ACE HEATING AND AIR CONDITIONING
CO., INC.

Employer

and

Case 08-RC-127213

INTERNATIONAL ASSOCIATION OF
SHEET METAL, AIR, RAIL AND
TRANSPORTATION WORKERS

Petitioner

DECISION AND ORDER

The National Labor Relations Board has considered a challenged ballot in an election held May 21, 2014, and the Hearing Officer's report recommending disposition of it. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 4 ballots cast for and 4 ballots cast against the Petitioner, with 1 challenged ballot, a sufficient number to affect the results.

No exceptions have been filed to the Hearing Officer's report within the time provided. Accordingly, the Board adopts the Hearing Officer's findings and recommendations.¹

¹ The hearing officer found employee Edward Dudek to be a supervisor under Section 2(11) of the Act. In light of the pendency of objections, this case will be remanded to the Regional Director.

ORDER

IT IS ORDERED that this proceeding is remanded to the Regional Director for Region 8 for further appropriate action consistent with the Hearing Officer's report.

Dated, Washington, D.C., August 14, 2014.

By direction of the Board:

/s/Farah Z. Qureshi

Associate Executive Secretary